

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Richard and Patricia Martin,

Plaintiffs,

Civ. No. 10-3594 (RHK/FLN)

v.

ORDER

State Farm Fire and Casualty Company,

Defendant.

This matter is before the Court *sua sponte*. Defendant has filed a Motion for an Award of Costs (Doc. No. 59), noticing the Motion for a hearing before Magistrate Judge Noel on January 9, 2012. The undersigned will resolve the Motion rather than the Magistrate Judge. Accordingly, **IT IS ORDERED**:

1. The hearing on the Motion currently scheduled for January 9, 2012, before Magistrate Judge Noel is **CANCELED**;

2. Plaintiffs shall serve and file their Memorandum in Opposition to the Motion, and all supporting documents (if any), on or before January 6, 2012;

3. No reply by Defendant – whether by memorandum, letter, affidavit, or otherwise – shall be permitted absent further Order of the Court; and

4. In the event the Court desires a hearing on the Motion, the parties will be so notified.

Date: December 22, 2011

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge